

REMARKS

Claims 1-29 and 38 are pending in the present application. In the Office Action mailed February 15, 2006, the Examiner rejected claims 1-5, 12, 18-20, 25-26 and 38 under 35 U.S.C. §102(e) as being anticipated by Ishii et al. (USP 6,959,105). The Examiner next rejected claims 7-10, 13-14, 16-17, 21-24 and 27-29 under 35 U.S.C. §103(a) as being unpatentable over Ishii et al., as applied to claim 1, 12, 18, and 25 above, in view of DiMaria et al. (USP 6,075,455).

Applicant has amended claim 1 to incorporate the subject matter of allowed claim 6. Claim 11, which was indicated as allowed by the Examiner, has been rewritten in independent form. Claim 12 has been amended to incorporate the subject matter of allowed claim 15. Claims 6 and 15 have been canceled.

Rejections to claims 18, 25, and 38 are outstanding. Specifically, the Examiner rejected claims 18, 25, and 38 under 35 U.S.C. §102(e) as being anticipated by Ishii et al. Ishii et al. is directed to a fingerprint identification device equipped with a user recording unit. The Examiner has concluded that Ishii et al. anticipates claims 18, 25, 38 because the finger id device compares the output of a fingerprint reader to fingerprints stored on a database. In this regard, the Examiner has concluded that the reading of a fingerprint is an imaging scan and that the count data from a current fingerprint constitutes a scan parameter value. See Office Action, p. 2.

While Applicant believes that the Examiner has impermissibly stretched the definitional bounds of the claim language; nevertheless, to expedite prosecution of the present application and to further highlight the differences between the claimed invention and Ishii et al., Applicant has amended claim 18. Specifically, Applicant has amended claim 18 to clarify that the one or more scan parameters values that are transmitted to be stored on a database correspond to a set of scan parameters defining the one or more imaging sessions. The scan parameters define the particulars under which the one or more imaging sessions are undertaken – not the results of those imaging sessions. The count data from a current fingerprint in the system of Ishii et al. corresponds to the results or output of a current imaging session. As such, the count data does not define the particulars under which the fingerprint reader acquires the fingerprint information. Accordingly, claim 18 is believed to be in condition for allowance.

Claim 25 also stands rejected as being anticipated by Ishii et al. Claim 25 calls for, in part, the comparison of user input identifying scan parameters of an imminent imaging session to data stored on a database. Ishii et al. makes no such teaching. As set forth above, Ishii et al. teaches the comparison of a recently read fingerprint to a stored fingerprint. As such, nothing of an imminent or to-be-carried-out imaging session is compared to data stored on a database. In

other words, for the device of Ishii et al., the output of a fingerprint reader of a recently executed fingerprint scan is compared to fingerprints of a database. In contrast, the claim calls for determining preferred scan parameters for an imminent scan from stored data corresponding to previous scans. Accordingly, the art of record fails to teach or suggest that which is called for in claim 25.

Claim 38 also has been rejected based on Ishii et al. Claim 38 calls for “executing the prescribed scan with scan parameters defined by the scan data received from the database.” In this regard, the claimed invention is directed to the accessing of a database to determine the particulars of a scan to be executed. Ishii et al., as explained above, compares the output of recently executed scan to data of previously executed scans. As such, there is no teaching in Ishii et al. of establishing the particulars of an imminent scan based on the results of previously executed scans. Accordingly, claim 38 is believed to be in condition for allowance.

Therefore, in light of at least the foregoing, Applicant respectfully believes that the present application is in condition for allowance. As a result, Applicant respectfully requests timely issuance of a Notice of Allowance for claims 1-5, 7-14, 16-29, and 38.

Applicant appreciates the Examiner’s consideration of these Amendments and Remarks and cordially invites the Examiner to call the undersigned, should the Examiner consider any matters unresolved.

Respectfully submitted,

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